

IN THE CLAIMS

Please amend the claims as follows:

1-17. (Canceled)

18. (Currently Amended) A communication method having a variable modulation method comprising:

a requesting step of transmitting a signal, from a mobile station to a base station, requesting data transmission of data stored in the ~~from a~~ mobile station to ~~the~~ base station when there is data to be transmitted from the mobile station to the base station;

a notifying step of transmitting a signal, from the base station to the mobile station, notifying the data transmission ~~from the mobile station to the station,~~ when receiving the signal requesting data transmission;

a data transmission step of transmitting the data to be transmitted from the mobile station to the base station when receiving the signal notifying the data transmission; and

a retransmission notifying step of transmitting a signal representing whether the transmitted data is to be retransmitted or not,

wherein when the signal representing an instruction to retransmit the data is transmitted, the data is retransmitted from the mobile station to the base station with a same modulation method as one used for the data transmission.